

Primary Documents - U.S. Protest Over the Sinking of the *Lusitania*, 13 May 1915

Please call on the minister of foreign affairs and, after reading to him this communication, leave him with a copy.

In view of recent acts of the German authorities in violation of American rights on the high seas which culminated in the torpedoing and sinking of the British steamship *Lusitania* on May 7, 1915, by which over 100 American citizens lost their lives, it is clearly wise and desirable that the government of the United States and the Imperial German government should come to a clear and full understanding as to the grave situation which has resulted.

The sinking of the British passenger steamer *Falaba* by a German submarine on March 28, through which Leon C. Thrasher, an American citizen, was drowned; the attack on April 28 on the American vessel *Cushing* by a German aeroplane; the torpedoing on May 1 of the American vessel *Gulflight* by a German submarine, as a result of which two or more American citizens met their death; and, finally, the torpedoing and sinking of the steamship *Lusitania* constitute a series of events which the government of the United States has observed with growing concern, distress, and amazement.

Recalling the humane and enlightened attitude hitherto assumed by the Imperial German government in matters of international right, and particularly with regard to the freedom of the seas; having learned to recognize the German views and the German influence in the field of international obligation as always engaged upon the side of justice and humanity; and having understood the instructions of the Imperial German government to its naval commanders to be upon the same plane of humane action prescribed by the naval codes of other nations, the government of the United States was loath to believe - it cannot now bring itself to believe - that these acts, so absolutely contrary to the rules, the practices, and the spirit of modern warfare, could have the countenance or sanction of that great government.

It feels it to be its duty, therefore, to address the Imperial German government concerning them with the utmost frankness and in the earnest hope that it is not mistaken in expecting action on the part of the Imperial German government which will correct the unfortunate impressions which have been created and vindicate once more the position of that government with regard to the sacred freedom of the seas.

The government of the United States has been apprised that the Imperial German government considered themselves to be obliged by the extraordinary circumstances of the present war and the measures adopted by their adversaries in seeking to cut Germany off from all commerce, to adopt methods of retaliation which go much beyond the ordinary methods of warfare at sea, in the proclamation of a war zone from which they have warned neutral ships to keep away.

This government has already taken occasion to inform the Imperial German government that it cannot admit the adoption of such measures or such a warning of danger to operate as in any

degree an abbreviation of the rights of American shipmasters or of American citizens bound on lawful errands as passengers on merchant ships of belligerent nationality; and that it must hold the Imperial German government to a strict accountability for any infringement of those rights, intentional or incidental.

It does not understand the Imperial German government to question those rights. It assumes, on the contrary, that the Imperial government accept, as of course, the rule that the lives of non-combatants, whether they be of neutral citizenship or citizens of one of the nations at war, cannot lawfully or rightfully be put in jeopardy by the capture or destruction of an unarmed merchantman, and recognize also, as all other nations do, the obligation to take the usual precaution of visit and search to ascertain whether a suspected merchantman is in fact of belligerent nationality or is in fact carrying contraband of war under a neutral flag.

The government of the United States, therefore, desires to call the attention of the Imperial German government, with the utmost earnestness, to the fact that the objection to their present method of attack against the trade of their enemies lies in the practical impossibility of employing submarines in the destruction of commerce without disregarding those rules of fairness, reason, justice, and humanity which all modern opinion regards as imperative.

It is practically impossible for the officers of a submarine to visit a merchantman at sea and examine her papers and cargo. It is practically impossible for them to make a prize of her; and, if they cannot put a prize crew on board of her, they cannot sink her without leaving her crew and all on board of her to the mercy of the sea in her small boats.

These facts it is understood the Imperial German government frankly admit. We are informed that in the instances of which we have spoken time enough for even that poor measure of safety was not given, and, in at least two of the cases cited, not so much as a warning was received. Manifestly, submarines cannot be used against merchantmen, as the last few weeks have shown, without an inevitable violation of many sacred principles of justice and humanity.

American citizens act within their indisputable rights in taking their ships and in travelling wherever their legitimate business calls them upon the high seas, and exercise those rights in what should be the well-justified confidence that their lives will not be endangered by acts done in clear violation of universally acknowledged international obligations, and certainly in the confidence that their own government will sustain them in the exercise of their rights.

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